

SENATE BILL 409

L2

2lr1513
CF HB 363

By: **Senator Jones–Rodwell (By Request – Baltimore City Administration) and
Senators Ferguson, Gladden, McFadden, and Pugh**

Introduced and read first time: February 1, 2012

Assigned to: Judicial Proceedings

Committee Report: Favorable

Senate action: Adopted

Read second time: March 6, 2012

CHAPTER _____

1 AN ACT concerning

2 **Baltimore City – Police Department – Appointments**

3 FOR the purpose of altering the rank above which the Police Commissioner of
4 Baltimore City may make an appointment without an examination under
5 certain circumstances; and generally relating to appointments in the Police
6 Department of Baltimore City.

7 BY repealing and reenacting, with amendments,
8 The Public Local Laws of Baltimore City
9 Section 16–7(3) and 16–10(d)
10 Article 4 – Public Local Laws of Maryland
11 (1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article 4 – Baltimore City**

15 16–7.

16 In directing and supervising the operations and affairs of the Department, the
17 Commissioner shall, subject to the provisions of this subtitle, and subject to the
18 provisions of Article VI and Sections 4–14 both inclusive, of Article VII of the Charter
19 of Baltimore City (1964 Revision) as amended from time to time, be vested with all the

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 powers, rights and privileges attending the responsibility of management, and may
 2 exercise the same, where appropriate, by rule, regulation, order or other departmental
 3 directive which shall be binding on all members of the Department when duly
 4 promulgated. In the event of a conflict between the provisions of Article VI and
 5 Sections 4–14, both inclusive, of Article VII of the Charter, and the provisions of this
 6 subtitle, the provisions of Article VI and Sections 4–14 of Article VII shall control. The
 7 authority herein vested in the Police Commissioner shall specifically include, but not
 8 be limited to, the following:

9 (3) To appoint without examination and to serve at his pleasure during
 10 satisfactory performance, Deputy Commissioners and other ranks and positions above
 11 the rank of [Captain] **LIEUTENANT** which the Commissioner has determined require
 12 the experience of a [police officer] **LIEUTENANT** as a prerequisite in order to insure
 13 the effective and efficient staffing and operation of the major functional subdivisions of
 14 the Department.

15 16–10.

16 (d) Notwithstanding any provisions of this section, or of this subtitle, the
 17 Commissioner may make any appointment to the Department above the rank of
 18 [Captain] **LIEUTENANT**, without examination, except that no such position shall be
 19 filled by a police officer within the Department of a rank less than Lieutenant, and
 20 where any such appointment is made the police officer so appointed shall, upon the
 21 termination of his service in such position, be returned to the rank from which he was
 22 elevated, or to such higher rank as he became eligible to serve in during his
 23 appointment.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 25 October 1, 2012.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.